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10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 COUNTY OF LOS ANGELES, CENTRAL DISTRICT
12

13 JANICE DICKINSON, an individual,
14 Plaintiff,

15 v.

16 WILLIAM H. COSBY, JR., an individual
17 Defendant.
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Case Number: BC 580909
[Case assigned to The Honorable
Debre Weintraub – Department 47]

**DECLARATION OF JONATHAN
SILVER IN SUPPORT OF
OPPOSITION TO DEFENDANT'S
SPECIAL MOTION TO STRIKE
PLAINTIFF'S COMPLAINT**

Date: February 29, 2016

TIME: 8:30 A.M.

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DECLARATION

Janice Dickinson v. William H. Cosby, Jr.
Case No. BC 580909

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1 to this case. I have no financial interest in the outcome of this case and I am not being paid for
2 my time on this matter.

3 5. Reliable media, those that report on facts and have fact checkers and legal teams
4 to review articles before they are printed, include network television and their affiliated online
5 websites, online Associated Press and “legitimate news” entities (such as the *New York Times* or
6 *Los Angeles Times*), and open source information sites that are subject to rigorous editorial
7 standards by its active contributing community, such as Wikipedia. Reliable media have high
8 standards for fair and accurate reporting by named reporters, and/or utilize a trained editorial
9 staff, and more generally, base published media on reliable sources.

10 6. Upon my review of the Motion and Mr. Singer’s Declaration in support thereof,
11 including all exhibits attached thereto, I did not locate a single reliable source that stated or
12 insinuated that Ms. Dickinson is a liar.

13 7. Unreliable media include sources such as comments sections of online articles or
14 blogs and opinion-based articles or blogs, the latter being easily identifiable by the lack of
15 reputable press credentials and an often over-abundance of ads.

16 8. In my expert and professional opinion, Mr. Singer could not have possibly relied
17 on any reliable online sources branding Ms. Dickinson a liar in preparing his letter to the media
18 and his press statement because no such reliable sources even existed. I learned of the absence
19 of these sources by completing an online reputation audit of Ms. Dickinson. To do this, I
20 focused first on Google and Bing searches of “Janice Dickinson” and reviewed all links
21 provided up to 10 pages on the search engine site (100 search results). I then isolated those
22 websites that criticized Ms. Dickinson, looking for keywords on each page like “liar” or “lie.”
23 Once an instance of the word “liar” or “lie” was found, I searched for references to verify proof.
24 I found none.

25 9. In Paragraph 16 of his declaration to the Motion, Mr. Singer lists five “reports”
26 which he reviewed before issuing the statements in question. Of those five, I classified three of
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1 them to be online sources for which I completed a full-scale audit for key indicators of an
2 unreliable source. I will address each "report" in turn.

3 10. The first online report reviewed by Mr. Singer was a 2007 article from an online
4 writer, Liz Pardue, on a blog website called Zap2It.com (Singer Declaration, Exhibit H). Ms.
5 Pardue's blog post is a "clickbait" blog post reviewing one of Ms. Dickinson's shows. Clickbait
6 refers to "web content aimed at generating online advertising revenue, especially at the expense
7 of quality of accuracy, relying on sensationalist headlines to attract click-throughs and to
8 encourage forwarding of the material over online social networks." (Source: Wikipedia.com).
9 The site does not require from its writers that they provide reliable sources for their claims nor
10 does the site require its writers to adhere to evidence-based writing. Rather, it merely hosts
11 salacious commentary and only makes reference to other articles on the site - a standard search
12 engine optimization practice known as "interlinking," with the primary purpose of improving a
13 sites page and domain authority. Indeed, Ms. Pardue offers no evidence for her provocative
14 comment that Ms. Dickinson is a "giant liar to all her clients." This blog post clearly does not fit
15 the definition of a reliable source.

16 11. The second online report Mr. Singer reviewed is a website called
17 DrugTreatmentCentersMinneapolis.com (Singer Declaration, Exhibit I) which is nothing more
18 than a shabbily-made lead-generating blog site for drug treatment centers. A simple review of
19 the site's domain authority, listed as a low 12/100 by Moz.com's proprietary domain authority
20 ranking system (Moz.com is an industry leader in search engine optimization tools which
21 provides a ranking system for sites based on referrals/links from other sites), and the complete
22 absence of backlinks (*i.e.* links that track back to the site from the other domains) shows a lack
23 of trust of this site by other sites in both the drug treatment industry and the online blog and
24 news industry. This site clearly does not fit the definition of a reliable source.

25 12. The third online report Mr. Singer reviewed was an interview on the *Daily Mail*
26 website (Singer Declaration, Exhibit L). While the *Daily Mail* is a British tabloid which could
27 sometimes be considered a reliable online source, the interview published on this site is
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1 completely silent as to Ms. Dickinson's credibility. There is no language in this piece
2 whatsoever about Ms. Dickinson lying or being truthful. Instead, she reveals her history of
3 substance abuse, which she has discussed publicly many times.

4 13. In fact, my audit revealed two reliable online sources which credit Ms. Dickinson
5 with a reputation for honesty. These sources are:

6 (a) a CBS News profile of Ms. Dickinson entitled "Janice Dickinson, Brutally Honest"
7 <http://www.cbsnews.com/news/janice-dickinson-brutally-honest/> (attached hereto as
8 Exhibit A); and

9 (b) an NBC News profile stating that "Janice Dickinson's honesty extends to her entire
10 life and the entire world, and everyone she interacts with."

11 [http://www.today.com/id/13739864/ns/today-today_entertainment/t/janice-dickinson-](http://www.today.com/id/13739864/ns/today-today_entertainment/t/janice-dickinson-redefines-model-behavior/#.VfdJNRHBzRY)
12 [redefines-model-behavior/#.VfdJNRHBzRY](http://www.today.com/id/13739864/ns/today-today_entertainment/t/janice-dickinson-redefines-model-behavior/#.VfdJNRHBzRY) (attached hereto as Exhibit B).

13 14. In sum, my audit has revealed an absence of reliable online sources classifying Ms.
14 Dickinson as a liar while revealing the existence of reliable online sources that credit her with
15 honesty. This audit has led me to the conclusion that there is no reasonable explanation as to
16 how Mr. Singer arrived at the conclusion that Ms. Dickinson is a liar or has a reputation for
17 dishonesty.

18 I declare under penalty of perjury under the laws of the State of California that the
19 foregoing is true and correct and that this Declaration was executed this 25th day of September,
20 2015, in Irvine, California.

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22 Jonathan Silver

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DECLARATION OF JONATHAN SILVER

Janice Dickinson v. William H. Cosby, Jr.
Case No. BC 580909

EXHIBIT A

By JUDY FABER / CBS / January 9, 2007, 8:04 PM

Janice Dickinson, Brutally Honest



Model Janice Dickinson poses backstage at the Alan Del Rosario Spring 2007 fashion show during Mercedes Benz Fashion Week at Smashbox Studios in Stage One October 17, 2006 in Culver City, California. Marsaili McGrath/Getty Images for Alan Del Rosario / **MARSAILI MCGRATH/GETTY/DEL ROSARIO**

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Janice Dickinson doesn't mind a little hard work.

The self-described "world's first supermodel," reality TV star, photographer and author, is enjoying the challenge of running her own agency in front of the cameras.

"This job is twofold: I'm doing the start-up business along with my partner Peter Hamm, and making a television show out of it at the same time," she told **The ShowBuzz's Judy Faber**. "I'm tired obviously. (But), I'm having the best time of my entire life. I love my work."

When Oxygen's "The Janice Dickinson Modeling Agency" premiered last year, Dickinson had to start completely from scratch with her new venture.

"The premise of the show was I had to have a license, it had to be an actual operating business, which it is," she said. "It was a hoot and a holler to watch me go through the motions of finding the space, getting it decorated, getting accountants, finding a computer, learning how to use a computer."

Dickinson was a successful model in the 1970s and early '80s, working with the hottest designers, posing for the best photographers, and demanding top dollar for her services.

But, like many actors who claim that all they want to do is direct, Dickinson says



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she always wanted to own her own agency.

"It started when I was 9 years old and I wanted to be Wilhemina Cooper, who was a very successful model in her day and afterward she founded the Wilhemina Agency in New York City," she said. "I always admired and looked up to her. I knew at the end of my modeling career — which for a model has a very short shelf-life — I knew I had to have something to fall back on."

 Video: Janice Dickinson On Her Reality Show

 Video: Janice's Five Rules For Young Models

Now that her dream has come true, Dickinson is charged with the task of finding talent for her agency. She had some successful bookings last season, but she lost Frederick's of Hollywood as a client when she didn't have models the lingerie company deemed sexy enough for their catalog.

By the end of the season, she had whittled down her talent roster to the models she and her partner felt were ready to work right away, with a few on deck who would need only a little more training to start getting jobs.

This season, she'll hold an open casting call and look for more talent, much to the chagrin of the "kids," as she calls them, on her current roster.

"You're going to see this season on my show some of the freshest faces in the industry, I'm not kidding you," she said. "The guys are already booking Vogue, huge campaigns, well you'll just have to tune in and see."

A single mom, Dickinson has a daughter, Savannah, 12, and a son, Nathan, 19. Both were seen on the show last season and this time around Nathan will take on the role of running part of the agency.

In her autobiography, "No Lifeguard On Duty: The Accidental Life Of The World's First Supermodel," Dickinson writes candidly about her many lovers, the wild parties, and her battles with substance abuse in a world where champagne flowed and cocaine was always available.

Because she's seen her share of the darker side of modeling, Dickinson has very strict advice for her "kids."

"I have rules," she said, emphatically. "No. 1, say no to drugs and alcohol; No. 2, get a high school education; No. 3 if you're under 18, make sure a parent accompanies you to a photo shoot or places unknown or other countries; No. 4, always bring a friend along with you and tell your agent, your booker, or your family members where you're going at all times," she said. "Because in my experience girls have disappeared, they've been kidnapped, there are many models that have had drug problems, along with myself."

As a judge on the CW's "America's Next Top Model" and on her own show, Dickinson has developed a reputation as a highly-critical taskmaster, sort of a Simon Cowell of the fashion world.

The way she sees it, she's just being realistic.

"People call me brutally honest. I am," she said. "It's a brutal, highly critical industry, the fashion industry. If they're not going to get it from me, they'll hear it from magazine editors, other photographers, fellow models, it just goes right down the line."

But, she adds that she's fiercely protective of her models, and always has their best

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interests at heart.

"The Janice Dickinson Modeling Agency" has been expanded to a one-hour format, and airs every Wednesday on Oxygen at 10 p.m. ET.

By Judy Faber

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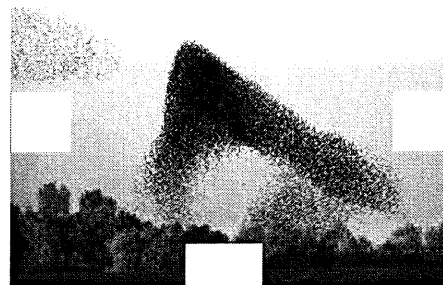
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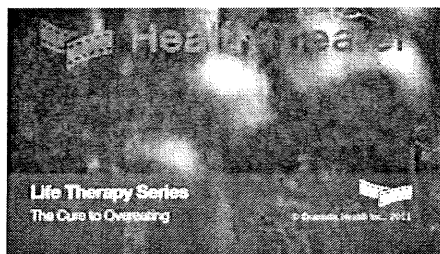
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EXHIBIT B

Below: Former 'Top Model' judge is still dishing out the cutting critiques

By

Andy Dehnart

msnbc.com contributor

updated 7/7/2006 1:27:05 PM ET

EXCLUSIVE INTERVIEW

Janice Dickinson is not an enigma.

As the self-proclaimed "world's first supermodel," she gained fame on the covers of magazines and the runways of the world. Now, however, she's earned a much wider audience because of her appearances on three reality TV shows.

That audience is not entirely in love with Janice, who, like many reality stars, is best-known by her first name only. As with **other reality show contestants**, she's loved by some viewers, while others love to hate her. She is arrogant and emotional, over-the-top and harsh. She is loathed for her abrasive personality and cutting remarks, and she also loved for the exact same reasons. What Simon Cowell is to music, Janice Dickinson is to modeling.

Her sometimes caustic, always blunt personality is not unlike Cowell's, nor was her model-judging performance as a former judge on UPN's "America's Next Top Model" all that different from his singer-judging act on "American Idol." But while Simon restricts his brutal honesty for when he's judging performers in a competition, Janice Dickinson's honesty extends to her entire life and the entire world, and everyone who she interacts with.

One of her books is titled "Everything About Me Is Fake . . . And I'm Perfect," and that describes her life—and her appeal—well. From her plastic surgery to her sex life, she presents her life for public consumption, and dissects others with the same ruthless efficiency that she uses on herself.

That is on display as part of Janice's latest venture. "The Janice Dickinson Modeling Agency." That is both the name of her new modeling agency and the title of the Oxygen reality series that follows her life as she starts the company and looks to acquire a stable of models.

New show is different from 'Top Model'

Her approach to judging on "Top Model," which generally involved semi-shouting compact, shocking criticism without exchanging pleasantries, extends to her new agency. Janice said in an interview with MSNBC.com that "there's no sugarcoating in this agency. If the kids don't get the honest-to god truth from me ... they're going to get it from [others]."

The truth is often delivered in a way that tends to shock both those on the receiving end and viewers. After one potential "Janice Dickinson Modeling Agency" model gave her size, Janice responded, "You're a thirty-seven ass? You gotta lose some poundage, missy!" In another episode, she told a different model that what she really needed was "a big nose job."

Models, she said, "don't fall off a truck. ... It's a learned technique." Janice Dickinson clearly values perseverance as much as personality, which are, unsurprisingly, those attributes that helped her career develop since she started modeling at age 14.

There is nothing she's looking for specifically. "I have no idea until I see the person," she said, admitting that "sometimes I don't even see it."

Although she critiques models who want to join her agency, the approach her new series takes is the opposite of "Top Model," however. It is not a talent search show that will crown a winner, as the Tyra Banks-hosted UPN show does, but instead it will award "not just contracts but careers," she said. And the series, which was filmed over four months, is "a real documentary of my life," Janice says.

As a result, "now the public has an idea" of her real self and her real life, she says. That real life includes her two children, to whom she's intensely committed, admitting unapologetically that her stay in VH1's "Surreal Life" house was for the money. Her new show, too, is ultimately for financial benefit. Dickinson's daughter, she said, "hates being in front of the camera. ... But I have to have her on because it's part of my show. If she wants to go to college," Janice said, her daughter will appear on-screen. Janice says viewers will eventually "see her warming up to it."

Her son, Nathan, on the other hand, is clearly more comfortable in front of the camera, and as a recent episode showed, chose the real-world education of working with his mother in the agency and on the show over going to film school.



There's no question who's in charge on Oxygen's "The Janice Dickinson M

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With this new Oxygen series, Janice Dickinson is, for the first time, in control of how the show is produced—and, it follows, how other people perceive her. Filming for this series “wasn’t intrusive,” Janice said in an interview, “because I’m an executive producer. I’m able to turn the camera on and off at whim. ... or I edit out what I think is too personal.”

That was important for her, perhaps because the public’s current perception of her has been formed by her two previous reality shows, “Top Model” and “The Surreal Life.” It’s “very important for people to have control over their lives,” Janice said.

Perhaps contradictorily, she insists that “there’s no editing and no bulls---” and that the new series remains one “of rigorous honesty.”

On VH1’s “The Surreal Life,” a number of episodes focused on Janice’s near-constant combat with “Apprentice” star Omarosa Manigault-Stallworth. The two reality TV stars shrieked things such as, “I’ll yank your weave off, honey,” and Janice appeared to delight in torturing Omarosa, who relentlessly called Janice a “crackhead.” Fellow cast member Jose Canseco summed up the conflict by saying that Janice and Omarosa’s confrontation was “more scary than jail.”

It was riveting television that did more for VH1’s ratings than it did for Janice’s reputation, which was developed over four seasons on “America’s Next Top Model.” There, she sat in judgment of the models, hurling honesty-fueled verbal fireballs at them.

Surprisingly, two seasons ago Janice was essentially fired and replaced on the panel by the far more demure Twiggy. Janice said at the time that producers no longer wanted her brand of extreme truth-telling on the show, and in an interview, she said that producers ultimately “edited out all the stuff that I was saying that meant something.”

Still, she has appeared four times in the fifth and sixth season of the show, as a photographer and guest judge. Even after firing her, “Top Model” couldn’t divorce itself from Janice Dickinson, just as viewers are both repulsed and drawn in at the same time.

Andy Dehnart is a writer and teacher who publishes reality blurred, a daily summary of reality TV news.